

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	Case No. CR06-260JCC
)	
Plaintiff,)	
)	ORDER CONTINUING TRIAL
v.)	
)	
MARLON A. HOWELL,)	
)	
Defendant.)	
)	

ORDER

The matter comes before the Court on Defendant's Motion to Continue Trial Date. The Court has reviewed all pleadings relevant to this motion.

The Court finds that pursuant to 18 U.S.C. §3161(h)(8)(A) and §3161(h)(8)(B)(i), (ii) and (iv), the ends of justice served by continuing the trial date from October 10, 2006 to November 27, 2006, outweigh the best interests of the public and the defendants in a speedy trial. This matter is complex due to the legal issues involved as well as the need for forensic testing and analysis, and it is

1 unreasonable to expect the parties to adequately prepare for trial by October 10,
2 2006. Additionally, the failure to grant a continuance to November 27, 2006 would
3 deny the defendants the time necessary for effective preparation, taking into
4 account the exercise of due diligence, and would result in a miscarriage of justice.

5 Therefore, upon consideration of this motion and all other relevant materials,
6 IT IS HEREBY ORDERED that Defendant's motion is granted. The trial is
7 continued to November 27, 2006. Pre-trial motions are due on October 12, 2006.
8 Defendant Howell shall file a waiver of speedy trial no later than September 1,
9 2006.

10 IT IS FURTHER ORDERED that, for purposed of computing the time
11 limitations imposed by the Speedy Trial Act, 18 U.S.C. §3161-3164, the period of
12 delay from October 10, 2006 through November 27, 2006 is excludable time
13 pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

14 Dated this 23rd day of August, 2006,

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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
United States District Judge